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Docket Number 16-2013
12/16/2003 Shelly Hart



PATENT

Attorney Docket No.: 3536 C02
RW Ref. No.: APM/002-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
James CARDUCCI, et al.)
Application No.: 09/775,295) Examiner: George Goudreau
Filed: January 31, 2001) Group Art Unit: 1763
For: MAGNETIC BARRIER FOR PLASMA IN)
CHAMBER EXHAUST)

**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The owner, Applied Materials, Inc., is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/775,173. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee is held

unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney of record.

Terminal disclaimer fee under 37 CFR 1.20(d) included.

Please charge the \$110.00 terminal disclaimer fee under 37 CFR 1.20(d) to Deposit Account No. 50-0338. The Commissioner is hereby authorized to charge any additional fees or deficiencies or credit overpayment to Deposit Account No. 50-0338.

PTO suggested wording for terminal disclaimer was unchanged changed (A change was made to include payment by the Applicants' Deposit Account).

12/16/2003

Date

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Signature

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